

HOUSE BILL No. 2006

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-2.1; IC 2-5; IC 3-3-2-1; IC 4-4-16.5-2; IC 15-1-1.5-5.

Synopsis: Eliminate short session. Provides that the general assembly shall adjourn on April 29 of each odd-numbered year until the speaker of the house and the president pro tempore of the senate jointly issue a call for the members to reconvene. Provides that a joint call to reconvene: (1) must be issued not later than the second Tuesday after the first Monday in November of an odd-numbered year; (2) may not reconvene the general assembly before January 1 of the following even-numbered year; and (3) may be rescinded by joint action of the speaker and the president pro tempore. Provides that if the general assembly reconvenes under a joint call, the general assembly must adjourn sine die not later than March 14 following the date the general assembly reconvenes. Provides a procedure for sine die adjournment (Continued next page)

Effective: July 1, 1999.

Turner

January 27, 1999, read first time and referred to Committee on Rules and Legislative Procedures.



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Digest Continued

of the general assembly if the speaker and the president pro tempore do not issue a joint call to reconvene. Abolishes the second regular (short) session of the general assembly. Makes conforming changes in other statutes.

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Introduced

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 2006

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-2.1-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The ~~first regular~~
3 ~~session of each term of the~~ general assembly shall convene on the third
4 Tuesday after the first Monday of November of each even-numbered
5 year to do the following:
6 (1) Organize itself.
7 (2) Elect its officers.
8 (3) Receive the oath of office.
9 (b) If a special session is called before the date set in subsection (a),
10 then the organization, election, and receiving the oath of office shall be
11 held on the first day of the special session.
12 (c) The general assembly shall then adjourn until a day:
13 (1) certain fixed by a concurrent resolution; or
14 (2) when the gavel of each house falls in the presence of a quorum
15 whether or not a day certain to reconvene in session has been

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1 fixed.

2 (d) The general assembly shall reconvene in session no later than
3 the second Monday in January of the following year.

4 (e) ~~The first regular session of each term of the general assembly~~
5 ~~shall adjourn sine die~~ Not later than April 29 in any odd-numbered
6 year, **the general assembly shall adjourn upon the speaker of the**
7 **house of representatives and the president pro tempore of the**
8 **senate issuing a joint call to the members to reconvene under**
9 **section 2.3 of this chapter.**

10 SECTION 2. IC 2-2.1-1-2.3 IS ADDED TO THE INDIANA CODE
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
12 1, 1999]: **Sec. 2.3. (a) If the speaker of the house of representatives**
13 **and the president pro tempore of the senate issue a joint call for the**
14 **members to reconvene under section 2(e) of this chapter, the call:**

15 (1) must be issued not later than the second Tuesday after the
16 first Monday in November following the adjournment date
17 described in section 2(e) of this chapter;

18 (2) may not reconvene the general assembly before January
19 1 or after March 14 of the following even-numbered year; and

20 (3) may be rescinded by the speaker and the president pro
21 tempore acting jointly.

22 (b) If the general assembly reconvenes as provided in subsection
23 (a), the general assembly shall adjourn sine die before March 15
24 following the date the general assembly reconvenes.

25 (c) If the speaker of the house of representatives and the
26 president pro tempore of the senate do not issue a joint call for the
27 members to reconvene as provided in subsection (a), the speaker
28 and the president pro tempore shall issue a joint certificate stating
29 that the general assembly has adjourned sine die. The speaker and
30 the president pro tempore may issue a joint certificate of sine die
31 adjournment at any time.

32 (d) If the speaker and the president pro tempore do not issue a
33 joint certificate of sine die adjournment before the last day that a
34 joint call may be issued under subsection (a)(1), either the speaker
35 or the president pro tempore may issue a certificate of sine die
36 adjournment on the second Tuesday after the first Monday in
37 November.

38 (e) If:

39 (1) a joint certificate of sine die adjournment is not issued
40 under subsection (c); and

41 (2) neither the speaker nor the president pro tempore issue a
42 certificate of sine die adjournment under subsection (d);



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the general assembly is considered to have adjourned sine die at midnight on the second Wednesday after the first Monday in November following the adjournment date described in section (2)(e) of this chapter.

SECTION 3. IC 2-2.1-1-2.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2.5. (a) Before the ~~first regular session~~ **general assembly** adjourns ~~sine die~~, **under section 2(e) of this chapter**, the general assembly may adopt a concurrent resolution to fix a day to convene ~~the first regular~~ **a technical session** of the general assembly. The day fixed under this subsection may not be earlier than thirty (30) days after the ~~first regular session~~ **general assembly** adjourns ~~sine die~~, **under section 2(e) of this chapter**.

(b) Only the following may be considered and acted upon during a ~~first regular~~ technical session:

(1) Bills:

(A) enacted ~~during the first regular session~~ **from January 1 of the current year through the day before the day of the technical session; and**

(B) ~~that were~~ vetoed by the governor.

(2) Bills to correct conflicts among bills enacted ~~during the first regular session~~ **from January 1 of the current year through the day before the day of the technical session.**

(3) Bills to correct technical errors in bills enacted ~~during the first regular session~~ **from January 1 of the current year through the day before the day of the technical session.**

(c) The ~~first regular~~ technical session must adjourn sine die before midnight after it convenes.

(d) The concurrent resolution adopted under subsection (a) may provide that the ~~first regular~~ technical session is not required to convene if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which a ~~regular~~ technical session may meet under subsection (b) do not justify the cost and inconvenience of meeting in a ~~regular~~ technical session.

(e) If the general assembly does not meet in a ~~regular~~ technical session under this section, the general assembly shall consider and act upon vetoes of bills enacted ~~during the first regular session~~ **from January 1 of the current year through the day before the day fixed for the technical session at the earlier of the following:**

(1) **During the period the general assembly is in session under sections 2.3(a) and 2.3(b) of this chapter.**

(2) The next ~~second regular~~ session **that convenes under section**



2(a) of this chapter.

(f) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, the ~~first~~ regular technical session is not considered a regular session if the general assembly does not consider or act upon vetoes of bills enacted ~~during the first regular session from January 1 of the current year through the day before the day fixed for the technical session~~ under this section.

SECTION 4. IC 2-2.1-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) Not later than ~~seven (7) calendar days following the first session day in~~ January **15** of each year, every member of the general assembly shall file with the principal clerk of the house or secretary of the senate, respectively, a written statement of the member's or candidate's economic interests for the preceding calendar year listing the following:

(1) The name of the member's or candidate's employer and the employer of the member's or candidate's spouse and the nature of the employer's business. The house of representatives and senate need not be listed as an employer.

(2) The name of any sole proprietorship owned or professional practice operated by the member or candidate or the member's or candidate's spouse and the nature of the business.

(3) The name of any partnership of which the member or candidate or the member's or candidate's spouse is a member and the nature of the partnership's business.

(4) The name of any corporation of which the member or candidate or the member's or candidate's spouse is an officer or director and the nature of the corporation's business. Churches need not be listed.

(5) The name of any corporation in which the member or candidate or the member's or candidate's spouse or unemancipated children own stock or stock options having a fair market value in excess of ten thousand dollars (\$10,000). No time or demand deposit in a financial institution or insurance policy need be listed.

(6) The name of any state agency or the supreme court of Indiana which licenses or regulates the following:

(A) The member's or candidate's or the member's or candidate's spouse's profession or occupation.

(B) Any proprietorship, partnership, corporation, or limited liability company listed under subdivision (2), (3), or (4) and the nature of the licensure or regulation.

The requirement to file certain reports with the secretary of state

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or to register with the department of state revenue as a retail merchant, manufacturer, or wholesaler shall not be considered as licensure or regulation.

(7) The name of any person whom the member or candidate knows to have been a lobbyist in the previous calendar year and knows to have purchased any of the following:

(A) From the member or candidate, the member's or candidate's sole proprietorship, or the member's or candidate's family business, goods or services for which the lobbyist paid in excess of one hundred dollars (\$100).

(B) From the member's or candidate's partner, goods or services for which the lobbyist paid in excess of one thousand dollars (\$1,000).

(8) The name of any person or entity from whom the member or candidate received the following:

(A) Any gift of cash from a lobbyist.

(B) Any single gift other than cash having a fair market value in excess of one hundred dollars (\$100).

However, a contribution made by a lobbyist to a charitable organization (as defined in Section 501(c) of the Internal Revenue Code) in connection with a social or sports event attended by legislators need not be listed by a member of the general assembly unless the contribution is made in the name of the legislator.

(C) Any gifts other than cash having a fair market value in the aggregate in excess of two hundred fifty dollars (\$250).

Campaign contributions need not be listed. Gifts from a spouse or close relative need not be listed unless the donor has a substantial economic interest in a legislative matter.

(9) The name of any lobbyist who is:

(A) a member of a partnership or limited liability company;

(B) an officer or a director of a corporation; or

(C) a manager of a limited liability company;

of which the member or candidate for the general assembly is a partner, an officer, a director, a member, or an employee, and a description of the legislative matters which are the object of the lobbyist's activity.

(10) The name of any person or entity on whose behalf the member or candidate has appeared before, contacted, or transacted business with any state agency or official thereof, the name of the state agency, the nature of the appearance, contact, or transaction, and the cause number, if any. This requirement does not apply when the services are rendered without compensation.

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(11) The name of any limited liability company of which the member of the general assembly, the candidate, or the member's or candidate's individual spouse has an interest.

(b) Before any person who is not a member of the general assembly files the person's declaration of candidacy, declaration of intent to be a write-in candidate, or petition of nomination for office or is selected as a candidate for the office under IC 3-13-1 or IC 3-13-2, the person shall file with the clerk of the house or secretary of the senate, respectively, the same written statement of economic interests for the preceding calendar year that this section requires members of the general assembly to file.

(c) Any member of or candidate for the general assembly may file an amended statement upon discovery of additional information required to be reported.

SECTION 5. IC 2-5-1.1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. There is hereby created a legislative council which shall be composed of sixteen (16) members of the general assembly as follows:

(a) (1) From the senate: The president pro tempore, the minority leader, the majority caucus chairman, the minority caucus chairman, three (3) members appointed by the president pro tempore, and one (1) member appointed by the minority leader.

(b) (2) From the house of representatives: The speaker of the house, the majority leader, the minority leader, the majority caucus chairman, the minority caucus chairman, two (2) members appointed by the speaker, and one (1) member appointed by the minority leader.

(c) (3) The president of the senate may serve as an ex officio non-voting member of the council.

(d) (4) The members of the council who serve by virtue of their office shall serve until their successors are selected.

(e) (5) The appointed members shall serve from the date of their appointment until the next general election at which they run for reelection, or until the convening of the first regular session of the next general assembly, whichever is first to occur. The president pro tempore, speaker, and minority leaders shall appoint their members not later than five (5) days after the close of a first regular session of a general assembly adjourns under IC 2-2.1-1-2(e).

SECTION 6. IC 2-5-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The committee shall meet:

(1) on call of the chairman not later than thirty (30) days



1 following adjournment of the first session **organization** of each
 2 general assembly to ~~organize~~; thereafter it shall meet under
 3 **IC 2-2.1-1-2(a)**; and

4 **(2) any other time** at such times as the **call of the** chairman.
 5 ~~deems necessary.~~

6 During the first regular session of each general assembly; the chairman
 7 shall be appointed by the speaker of the house and shall serve until the
 8 beginning of the second regular session of that general assembly when
 9 the chairman during the second regular session shall assume his duties
 10 after having been appointed by the president pro tempore of the senate.

11 **(b) The chairman of the legislative council shall appoint the**
 12 **chair of the committee. The chairman of the legislative council may**
 13 **appoint a different chair of the committee at any time.**

14 SECTION 7. IC 2-5-18-6 IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 1999]: Sec. 6. (a) The ~~speaker of the house of~~
 16 ~~representatives~~ **chairman of the legislative council** shall appoint a
 17 member of the committee to be the chair of the committee. ~~during the~~
 18 ~~first regular session of each general assembly.~~ The member appointed
 19 to be chair by the speaker serves as chair until the beginning of the
 20 second regular session of that general assembly.

21 ~~(b) The president pro tempore of the senate shall appoint a member~~
 22 ~~of the committee to be chair of the committee during the second regular~~
 23 ~~session of each general assembly. The member appointed to be chair~~
 24 ~~by the president pro tempore serves as chair until the election of the~~
 25 ~~next general assembly. The chairman of the legislative council may~~
 26 **appoint a different chair of the committee at any time.**

27 ~~(c) (b) The committee shall meet to organize on the call of the chair~~
 28 ~~not later than December 15 of each year. The committee shall meet at~~
 29 ~~the call of the chair.~~

30 SECTION 8. IC 2-5-25-3 IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 1999]: Sec. 3. (a) The ~~president pro tempore of~~
 32 ~~the senate~~ **chairman of the legislative council** shall appoint a member
 33 of the committee to serve as chairperson of the committee. ~~during the~~
 34 ~~first regular session of a general assembly and as vice chairperson~~
 35 ~~during the second regular session. The chairman of the legislative~~
 36 **council may appoint a different chairperson of the committee at**
 37 **any time.**

38 **(b) The speaker of the house of representatives vice chairman of**
 39 **the legislative council** shall appoint a member of the committee to
 40 serve as vice chairperson ~~during the first regular session of a general~~
 41 ~~assembly and as chairperson during the second regular session. of the~~
 42 **committee. The vice chairman of the legislative council may**



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appoint a different vice chairperson of the committee at any time.

SECTION 9. IC 3-3-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. Congressional districts shall be established by law at the first ~~regular~~ session of the general assembly convening **under IC 2-2.1-1-2(a)** immediately following the United States decennial census.

SECTION 10. IC 4-4-16.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) The steel industry advisory commission is established consisting of thirteen (13) members.

(b) The lieutenant governor shall nominate and the governor shall appoint nine (9) members of the commission based on the following requirements:

(1) One (1) member must be the lieutenant governor or the lieutenant governor's designee.

(2) Five (5) members must be representatives of the steel industry in Indiana (as defined in the Steel Import Stabilization Act of 1984, P.L.98-573, Title VIII, Sections 801 to 806, Oct. 30, 1984, 98 Stat. 3043 to 3046 (19 U.S.C. Section 2253 note)).

(3) One (1) member must be a representative of a labor union that represents steelworkers.

(4) One (1) member must be a member of the faculty of the School of Business of Indiana University.

(5) One (1) member must be a member of the faculty of the School of Engineering of Purdue University.

(c) The lieutenant governor shall solicit recommendations from individuals associated with the steel industry and labor unions that represent steelworkers before making the nominations for appointments required by subsection (b)(2) and (b)(3), respectively.

(d) Four (4) members of the commission shall be appointed as follows:

(1) Two (2) members, not more than one (1) of whom may be affiliated with the same political party, must be members of the house of representatives, appointed by the speaker of the house.

(2) Two (2) members, not more than one (1) of whom may be affiliated with the same political party, must be members of the senate, appointed by the president pro tempore of the senate.

(e) The appointment of members under subsection (d) shall be made each even-numbered year after the first session day in November of the **first regular session of the general assembly convened under IC 2-2.1-1-2(a)**. The terms of the members are two (2) years.

(f) The lieutenant governor, or the lieutenant governor's designee,



1 serves as chairman of the commission. The commission shall provide
 2 for the selection of other officers as it determines appropriate.

3 SECTION 11. IC 15-1-1.5-5 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) The committee
 5 consists of the following members:

6 (1) Four (4) members of the senate, not more than two (2) of
 7 whom are members of the same political party, appointed by the
 8 president pro tempore of the senate.

9 (2) Four (4) members of the house of representatives, not more
 10 than two (2) of whom are members of the same political party,
 11 appointed by the speaker of the house of representatives.

12 (b) A member appointed under subsection (a) serves until the first
 13 day of the ~~first regular session of the~~ next general assembly following
 14 the member's appointment. A vacancy occurring under subsection (a)
 15 shall be filled for the unexpired term by the appointing authority who
 16 appointed the member whose position is vacant.

17 (c) After appointment of the members of the committee under
 18 subsection (a) the ~~speaker of the house of representatives~~ **chairman of**
 19 **the legislative council** shall name one (1) of the members as chairman.
 20 and the president pro tempore of the senate shall name another member
 21 as vice chairman. The chairman and the vice chairman serve until the
 22 first day of the second regular session of that general assembly. The
 23 vice chairman during the first session then becomes the chairman, and
 24 the chairman during the first session becomes the vice chairman. The
 25 appointing authority **chairman of the legislative council** may name a
 26 different chairman or vice chairman of the committee at any time.

27 (d) After appointment of the members of the committee under
 28 subsection (a), the vice chairman of the legislative council shall
 29 name one (1) of the members as vice chairman. The vice chairman
 30 of the legislative council may name a different vice chairman of the
 31 committee at any time.

32 SECTION 12. THE FOLLOWING ARE REPEALED [EFFECTIVE
 33 JULY 1, 1999]: IC 2-2.1-1-3; IC 2-2.1-1-3.5.

